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May 22, 2020

VIA ECF AND EMAIL

Honorable Katherine Polk Failla, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: Ruiz Ortega et al v. Ambrosia Bakery Café Inc. et al
Case No. 18-cv-2207 (KPF)

Dear Judge Failla,

Plaintiffs write to formally advise the Court that Defendant Nicholas Glendis has signed the settlement agreement in this action. Accordingly, Plaintiffs and Glendis respectfully request that the Court approve the agreement as fair and reasonable, as the Court already has done with regard to the same agreement for other Defendants (Dkt. No. 96), and dismiss the action as against Glendis.

Plaintiffs also write to advise that they do intend to continue to pursue the action against George Tzikas. We note that this is the opposite of our previous statement that we intended not to pursue the action against Tzikas if Glendis signed the settlement agreement. However, because the defendants who have signed the settlement agreement have unexpectedly defaulted and not paid the full settlement amounts to date, Plaintiffs do now intend to continue to pursue the action against Tzikas.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Joshua S. Androphy
Joshua S. Androphy, Esq.
Attorney for Plaintiffs

The Court is in receipt of Plaintiffs' update regarding this action. Given that Defendant Glendis has executed the settlement agreement, the Court reiterates its prior finding that the settlement is fair and reasonable and ORDERS that Defendant Glendis be dismissed from this suit.

As for Defendant Tzikas, the Court ORDERS the remaining parties to appear for a phone conference on June 17, 2020, at 10:00 a.m. to discuss the next steps in this litigation. The Court further ORDERS that Plaintiffs serve a copy of this Order on Defendant Tzikas by the email address they have for that Defendant.

Dated: May 26, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE